

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of: )

)

Retention by Broadcasters ) MB Docket No. 04-232  
of Program Recordings )

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To: The Commission

COMMENTS OF Randal J. Miller, president of Miller Communications, Inc., Taylorville, Illinois, the licensee of WTIM-FM Taylorville, IL and WMKR(FM) Pana, IL, pursuant to the Notice of Proposed Rulemaking, MB Docket No. 04-232, hereby submits its comments on the Commission's proposal to require the recording of programming by broadcast stations, and the retention of such recordings.

I own and operate a group of 7 small market radio stations in northwest and central Illinois, and have been a small market radio broadcaster for over 30 years.

The most recent rulemakings the Commission has asked for comments on, frankly frightens me from the standpoint of how am I to pay for:

1. Installing equipment to record all of our programming from 6am to 10pm, on 7 radio stations. I would suggest that only radio stations, regardless of the size, that the Commission has found to air indecent programming, be subject to such recordings. If a licensee has kept their nose clean, they shouldn't be subject to the recording requirement, especially in small markets where installation and maintenance of such recording equipment would be costly and a burden to maintain. The money now spent on providing local radio service, would instead be used to buy and maintain equipment that, if the broadcaster has not had any indecency complaints, would be basically useless.

2. Forcing radio broadcasters to convert from analog to digital transmission, would cost so much it would basically put me out of business. The cost to

convert my 7 stations would be over \$350,000, which is so expensive we may have to sell our stations to a larger group that will likely put all of them on satellite and eliminate the one thing the Commission is focusing on-- LOCAL PROGRAMMING.

3. And, the thought of the FCC or anyone else, telling any radio broadcaster how much local news, weather, sports or other non-entertainment programming, rolls the clock back 30 years. The marketplace should continue to decide what programming it likes and tunes in for.

Quite frankly, I think radio and television stations are being made the "whipping boys" after the Janet Jackson incident, and I'm afraid the Commission is going to throw out the baby with the bathwater.

Small market broadcasters provide an important service to their communities. Proposals the Commission is floating will take money small market broadcasters such as myself, we now spend to provide service to our communities, and spend it on digital conversion and program recording equipment--unless we see that the money to do this isn't there, in which case we'll just sell out and let someone else worry about it.

And, that someone else will likely NOT live in our communities as we do, and NOT care about local programming like we do.

Thank you for allowing me to express my opinion.

Kindest regards,  
Randal J. Miller, President  
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